REMARKS/ARGUMENTS

In view of the foregoing amendments and the following remarks, the applicant respectfully submits that the pending claims are not anticipated under 35 U.S.C. § 102 and are not rendered obvious under 35 U.S.C. § 103. Accordingly, it is believed that this application is in condition for allowance. **If, however, the Examiner believes that there are any unresolved issues, or believes that some or all of the claims are not in condition for allowance, the applicant respectfully requests that the Examiner contact the undersigned to schedule a telephone Examiner Interview before any further actions on the merits.**

The applicant will now address each of the issues raised in the outstanding Office Action. Before doing so, however, the undersigned would like to thank Examiner Le for courtesies extended during a telephone interview on December 14, 2007 (referred to as "the telephone interview").

Telephone Interview Summary

This statement of the substance of the Interview summarizes the issues discussed during the telephone interview. This Interview Summary is presented in the format suggested in MPEP § 713.04 by the Patent Office.

Date of Interview: December 14, 2007
Type of Interview: Telephone

Name of Participants:

- Examiner: Debbie Le
- For Applicants: John C. Pokotylo
  Leonard P. Linardakis

A. Exhibit(s) Shown: None

B. Claims discussed: 6, 13 and 23

C. References Discussed:

- U.S. Patent No. 7,043,471 ("the Cheung patent")
- U.S. Patent No. 7,007,074 ("the Radwin patent")

D. Proposed Amendments discussed:

- Amendments to independent claims 6, 13 and 23 were discussed. Specifically, responsive to the Examiner's understanding of the differences between the described invention and the cited art, the applicant's representatives proposed that the advertisement retrieval in claim 6 (and similarly claims 10, 13 and 23) is done automatically and independent of the end user acts.

E. Discussion of General Thrust of the Principal Arguments

- The applicant's representatives discussed the claimed invention in the context of Figure 4 of the present specification.

- The applicant's representatives discussed their understanding of the teachings of the Radwin and Cheung patents. The applicant's representatives noted that the Radwin and Cheung patents require

that advertisers expressly indicate an interest in specific search terms (e.g., by expressly bidding on or entering key words).

- The Examiner clarified her position that she is interpreting the landing page of an advertiser, which is retrieved after a user clicks on a hyperlink, as the claimed advertisement.

F. Other Pertinent Matters Discussed: None

G. General Results/Outcome of Interview

- The Examiner stated that she understood the nature of the claims, the advantages provided by the claimed invention, and the differences between the claimed invention and the cited references, as presented by the applicant's representatives.

- The Examiner suggested amending the claims to clarify that the searchable data structure can be generated without expressly entered targeting information. The applicant's representatives noted that such amendments would be subject to approval by the applicant.

- The Examiner suggested that the applicant similarly amend independent claims 23, 24 and 28 as proposed with respect to claims 6, 10 and 13. The applicant's representatives noted that such amendments would be subject to approval by the applicant.

Rejections under 35 U.S.C. § 102

Claims 24, 28, 34, 35, 36 and 39 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 7,007,074 ("the Radwin patent"). The applicant respectfully requests that the Examiner reconsider and withdraw this ground of rejection in view of the following.

Independent claims 24 and 28, as amended, include a searchable data structure including advertiser Web page information which is generated from information automatically extracted exclusively from identified advertiser Web pages. The Examiner noted that this feature was not taught by the Radwin patent with respect to claims 6, 10 and 13. (See Paper No. 20070816, pages 5 and 6.) As such, this ground of rejection is rendered moot with respect to claims 24 and 28. Since claims 34-36 and 39 depend, either directly or indirectly, from claim 28, this ground of rejection is similarly rendered moot with respect to claims 34-36 and 39.

Rejections under 35 U.S.C. § 103

Claims 6-16, 23, 25-27, 33, 37-38 and 40-43 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over the Radwin patent in view of U.S. Patent No. 7,043,471 ("the Cheung patent"). The applicant respectfully requests that the Examiner reconsider and withdraw this ground of rejection in view of the following.

Independent claims 6, 10, 13 and 23 are not rendered obvious by the Radwin and Cheung patents at least because

these patents neither teach, nor make obvious, either (1) a searchable data structure generated from information ***automatically extracted exclusively*** from advertiser Web pages without the need for expressly entered advertiser entered targeting information, or (2) an act of (or means for) retrieving advertisements ***automatically, independent of end user acts, and following the acceptance of the search query***.

Embodiments consistent with the claimed invention concern determining advertisements to be served by searching and retrieving advertiser information from searchable data structures, for example, which contain information ***automatically extracted exclusively*** from identified advertiser Web pages. Thus, in such embodiments consistent with the claimed invention, ***ad targeting information does not have to be expressly entered***. For example, the searchable data structure (e.g., element 460 of Figure 4) may be automatically generated using information extracted or derived from the advertiser's web sites prior to a user search query being entered, for example. When a user subsequently enters a search query, relevant ads may be retrieved using the automatically generated searchable data structure. (See, e.g., page 5, lines 7-15.) These ads may then be served with general web content returned by the user search query.

This allows for the determination of ads, for example, to be served ***without an advertiser having to determine what targeting information (e.g., key words) would be most relevant***. This advantageously assists advertisers since some advertisers may find entering and/or maintaining keyword targeting information

difficult, or at least tedious. (See, e.g., page 4, lines 6-18 and page 5, lines 1-3 of the present application.)

The Examiner concedes that the Radwin patent does not explicitly teach wherein the searchable data structure including advertiser web page information includes information automatically extracted exclusively from identified advertiser Web pages. (See Paper No. 20070816, pages 5 and 6.) However, the Examiner cites col. 18, lines 19-29 and col. 19, lines 9-11 in the Cheung patent as teaching that the searchable data structure includes information automatically extracted exclusively from the identified web pages. (See Paper No. 20070816, page 6.) For reason discussed during the telephone interview, the applicant respectfully disagrees.

The search result database (406) in the Cheung patent includes advertisement search listing records used to generate search results in response to user queries. The advertiser's listing is entered in the search result DB (406) when an ***advertiser expressly indicates an interest in specific search terms*** that the advertiser considers relevant to the content of their website. That is, the advertiser must determine which search terms they want their advertisements to appear with, and expressly bid on or enter those terms accordingly. (Although the advertising network may determine the relevance of the bidded search term with the advertiser's website to ensure quality before including the listing in the search result database, the advertiser must still first determine which search terms they are interested in.)

Thus, as can be appreciated from the foregoing, the search result DB is not generated from information ***automatically extracted exclusively*** from advertiser Web pages. Entries in the search result database (406) are derived from search terms that advertisers expressly indicated an interest in (e.g., expressly bidded or entered terms). (See, e.g., col. 7, lines 27-52, col. 17, line 61 through col. 18, line 3 and col. 19, lines 1-4 of the Cheung patent.)

Furthermore, portions of the Cheung patent cited by the Examiner describe a situation where a user clicks on a hyperlinked search result after search results, responsive to a user query, have been returned. However, the Cheung patent describes a pay for placement model search engine where the search results are the advertiser listings. (See, e.g., col. 6, lines 30-65 and more especially, col. 6, line 66 through col. 7, line 5.) As such, in the system described in the Cheung patent, the search result listing is comprised of advertisements which, as described above, are returned based on a match of a user search query with search terms that advertisers expressly indicated an interest in (e.g., expressly bidded or entered terms). Thus, the portions of the Cheung patent cited by the Examiner do not teach, or make obvious, a searchable data structure generated from information automatically extracted exclusively from the identified web pages.

During the telephone interview, the Examiner clarified her position that she is characterizing the ***landing page*** of an advertisement as the claimed "advertisement" which is retrieved, automatically and exclusively, from an identified web page after a user

clicks on a hyperlink. Independent claims 6, 10, 13 and 23 have been amended to further clarify that the act of retrieving advertisements is done ***automatically, independent of end user acts (clicking a hyperlinked search result is an end user act), and following the acceptance of the search query***. In addition, as suggested by the Examiner, the applicant has further amended claims 6, 10, 13 and 23 to clarify that the searchable data structure can be generated without expressly entered targeting information. Independent claims 24 and 28 have been similarly amended.

In light of the foregoing remarks and amendments, claims 6, 10, 13 and 23, as amended, are not rendered obvious by the Radwin and Cheung patents. Similarly, claims 24 and 28, as amended, would not be rendered obvious by the Radwin and Cheung patents. Since claims 7-9 and 11-16 depend, either directly or indirectly, from claims 10, since claim 14 depends on claim 13, since claims 25-27 depend, either directly or indirectly, from claim 24, and since claims 33, 37, 38 and 40-43 depend, either directly or indirectly, from claim 28, these claims are similarly not rendered obvious by the cited references.

Claim 29 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over the Radwin patent in view of U.S. Patent No. 5,915,249 ("the Spencer patent"). The applicant respectfully requests that the Examiner reconsider and withdraw this ground of rejection in view of the following.

Claim 29 depends from claim 28. The purported teachings of the Spencer patent would not compensate for

the deficiencies of the Radwin patent (alone, or in combination with the Cheung patent) with respect to claim 28, as amended and discussed above, regardless of the scope of the purported disclosure in the Spencer patent, and regardless of the absence or presence of a reason to combine. Consequently, claim 29 is not rendered obvious by the cited references for at least this reason.

Claims 2-5 and 30-32 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over the Radwin patent in view of the Cheung patent and further in view of the Spencer patent.

Claims 2-5 and 30-32 depend, either directly or indirectly, from claims 10 and 28, respectively. The purported teachings of the Spencer patent would not compensate for the deficiencies of the Radwin and Cheung patents with respect to claims 10 and 28, discussed above, regardless of the scope of the purported disclosure in the Spencer patent, and regardless of the absence or presence of a reason to combine. Consequently, claims 2-5 and 30-32 are not rendered obvious by the cited references for at least this reason.

Additional Claim Amendments

Claims 5 and 32 have been amended to correct minor grammatical errors.

Conclusion

In view of the foregoing amendments and remarks, the applicant respectfully submits that the pending claims

are in condition for allowance. Accordingly, the applicant requests that the Examiner pass this application to issue.

Any arguments made in this amendment pertain ***only*** to the specific aspects of the invention ***claimed***. Any claim amendments or cancellations, and any arguments, are made ***without prejudice to, or disclaimer of***, the applicant's right to seek patent protection of any unclaimed (e.g., narrower, broader, different) subject matter, such as by way of a continuation or divisional patent application for example.

Respectfully submitted,

January 22, 2008

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CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this paper (and any accompanying paper(s)) is being facsimile transmitted to the United States Patent Office on the date shown below.

John C. Pokotylo
Type or print name of person signing certification

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January 22, 2008
Date